

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARTNER, INC.,
Plaintiff,

v.

HCC SPECIALTY UNDERWRITERS, INC. and
U.S. SPECIALTY INSURANCE COMPANY,
Defendants.

No. 1:20-cv-4885 (JGK) (JLC)
(CONSOLIDATED CASES)

GARTNER, INC.,
Plaintiff,

v.

AON/ALBERT G. RUBEN INSURANCE
SERVICES, INC.,
Defendant.

No. 1:22-cv-7000 (JGK) (JLC)

26/C **[PROPOSED] STIPULATED ADDENDUM TO
STIPULATION AND ORDER GOVERNING THE
PRODUCTION AND EXCHANGE OF CONFIDENTIAL INFORMATION**

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, Gartner, Inc. (“Gartner”), HCC Specialty Underwriters, Inc. (“HCCSU”), U.S. Specialty Insurance Company (“USSIC”), and Aon/Albert G. Ruben Insurance Services, Inc. (“Aon”) (Gartner, HCCSU, USSIC and Aon collectively, the “Parties,” and each individually a “Party”) hereby stipulate that the Stipulation and Order Governing the Production and Exchange of Confidential Information (the “Stipulation and Order”) entered at Dkt. 104) in Case No. 20-cv-4885-JGK shall govern the conduct of further proceedings in both of these consolidated cases, subject to the modifications effected by this Addendum to the Stipulation and Order with respect to the access to and disclosure and use of Discovery Material designated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”. Capitalized terms not defined herein are defined in the Stipulation and Order.

1. A Producing Party may designate Discovery Material as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” if, in the reasonable judgment of the Producing Party, the Discovery Material contains proprietary business information the disclosure of which to persons allowed access to other Confidential Discovery Material could give a Receiving Party a material competitive advantage, cause a material competitive disadvantage to or impose material liability upon the Producing Party, or contains confidential business information or highly sensitive personal information about third-parties to this Litigation. Any Discovery Material designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” shall be included in the definition of “Confidential Discovery Material” under the Stipulation and Order and shall be afforded all the protections of “Confidential Discovery Material,” subject to the terms of this Addendum.

2. Any Party may challenge the designation of Discovery Material as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” in accordance with the procedures set forth in Paragraph 8 of the Stipulation and Order.

3. Discovery Material designated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” shall be subject to all of the protections afforded to “Confidential Discovery Material” in the Stipulation and Order, except that it may, absent the Producing Party’s express written consent to a wider disclosure, be disclosed only to (a) the persons identified in paragraphs 7(A) and 7(D)-(H) of the Stipulation and Order; (b) the Parties’ in-house litigation counsel or in-house counsel assisting in this Litigation to whom disclosure is reasonably deemed necessary; and (c) any experts or consultants retained by a Party to prepare a written opinion, to prepare to testify, or to assist counsel in the Litigation, provided such person (i) is not a current director, officer, employee, management personnel, advisor, and/or partner of any Party; (ii) shall first be advised

on the existence and content of the Stipulation and Order; and (iii) shall execute a Declaration of Compliance with Protective Order in the form attached at Exhibit A to the Stipulation and Order (“Compliance Declaration”).

SO STIPULATED AND AGREED.

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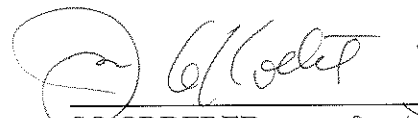
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SO ORDERED U.S.D.J.
7/31/23